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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4844 OF 2006

Shri. Nandilal C. Varma and anr. ...Petitioners

Versus

Municipal Corporation Pune
and Ors. ... Respondents

Mr. Vineet B.Naik for Petitioner.

Mr.V.P. Malawankar, A.G.P. for R.No. 3.

Mr. V.G. Mujumdar for R. Nos. 1 and 2.

CORAM: F.I. REBELLO &
R.M. SAVANT,JJ.
DATED: MARCH 30, 2007

P.C.:

. By consent of the parties petition itself taken up for hearing and heard.

. The Petition was admitted. The issue in the Petition is only in respect of release of D.R.C. as claimed by the Petitioner. A reply has been filed by Prashant Waghmare, Civil Engineer. In Paragraph 2, it is set out that the Petitioners are the owners of the property bearing S. No. 68, Hissa No. 6, Ghorpadi, Pune and are entitled to T.D.R. in respect of the area under road of the suit property. The Corporation has further decided to grant T.D.R. to the Petitioners subject to their necessary compliance and producing necessary documents as per

D.C. Rules. Rejoinder has been filed on behalf of the Petitioner herein. It is his contention that he has complied with all the requirements as set out in Paragraph 3 of the affidavit in rejoinder. In Paragraph 8 he has further set out that the suit which is pending being R.C.S. No. 1103 of 2004 will be withdrawn by them as soon as TDR/DRC certificate is issued. This statement made on behalf of the Petitioners is accepted.

. In the light of the above, the Respondents are directed to release TDR/DRC certificate to the Petitioner if the Petitioner has complied with all the requirements which are required for release of DRC certificate.

. Rule made absolute accordingly. No order as to costs.

(R.M. SAVANT,J.) **(F.I.REBELLO, J.)**